

Remarks/Arguments

Priority

The claims before the examiner were given the effective filing date of the child application in accordance with MPEP 2133.01. The applicant respectfully disagrees because the elements of the claims before the examiner are disclosed in the parent application, serial number 08/790,084.

The following shows the support for each claim element seriatim.

1. Derive algorithmic flow information from textual source code:

“Figure 3 illustrates the typical use of the present invention wherein the initial textual code 2, is converted into flowcode using a conversion means related to the present invention 9.” (first full paragraph, page 9).

“Conversion of code to flowcode is a one time process and also comprises a method of the present invention.” (first full paragraph, page 10).

2. Use hierarchical Flow Structure Markup Language grammar to encode the algorithmic flow information :

“The use of encoded algorithmic information in parallel with, or embedded within, an arbitrary textual language is central to the present invention.” (second paragraph, page 6).

“a minimal HPL required to implement most features in the present invention will have a syntax that supports encoding of:

- Function, or subroutine input and associated end, or exit points;
- Logical branch, path and branch end points;
- Iterative loop and loop end points;

- Inline comments;
- One arbitrary textual parameter for each HPL statement.” (third full paragraph, page 6)

3. Use hierarchical Flow Structure Markup Language grammar to encode the textual source code:

“the HPL edit module, 5, transparently applies the desired edit command (e.g. cut, copy, paste, change text line) to the corresponding textual statements of the HPL code” (first paragraph, page 9).

“The choice of HPL statements to text code mapping is not an expressly critical factor for the operation of the system, although the most efficient gains from the present invention are realized only when the procedural flow statements in a text language are mapped to the corresponding flow statements in the HPL.” (first full paragraph, page 10).

4. Use hierarchical Flow Structure Markup Language grammar to create the algorithmic representation:

“Initially, a file of HPL code is opened, read and parsed to generate a diagram of the encoded algorithmic flow. The flow is displayed as a flowchart.” (first full paragraph, page 9).

“ In this embodiment a file is provided that allows the system to map each line of flowcode and its embedded textual code to a secondary human language for the purpose of displaying a flowchart in an arbitrary human language.” (second full paragraph, page 12).

As demonstrated above, each claim element is disclosed in the earlier parent application. Therefore, the claims should have the filing date of the parent which is January 29, 1997.

Claim Objection

Claims 3, 4, 8, 9, 13, 14, 18 and 19 were objected to because of misspellings. The claims have been amended to correct the misspellings.

Claim Rejections – 35 U.S.C. § 112

Claims 16-20 were rejected as being indefinite for stating a single means. The claims have been amended to remedy the alleged indefiniteness.

Claim Rejections – 35 U.S.C. § 101

Claims 1-10 were rejected for being directed to non-statutory subject matter. The claims have been amended to remedy the alleged noncompliance.

Claim Rejections – 35 U.S.C. § 102

Claims 1-20 were rejected as being anticipated by Muenzel (U.S. Publication No. 2002/0004804). Based on the argument above providing for a priority date of January 29, 1997, Muenzel no longer qualifies as an anticipating reference.

Respectfully submitted,

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Dated: May 14, 2004

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